

Effective 1/1/2015

17-52-403 Adoption of optional plan -- Effect of adoption.

- (1) If a proposed optional plan is approved at an election held under Section 17-52-206:
 - (a) the proposed optional plan becomes effective according to its terms and, subject to Subsection 17-52-401(1)(c), at the time specified in it, is public record open to inspection by the public, and is judicially noticeable by all courts;
 - (b) the county clerk shall, within 10 days of the canvass of the election, file with the lieutenant governor a copy of the optional plan, certified by the clerk to be a true and correct copy;
 - (c) all public officers and employees shall cooperate fully in making the transition between forms of county government; and
 - (d) the county legislative body may enact and enforce necessary ordinances to bring about an orderly transition to the new form of government, including any transfer of power, records, documents, properties, assets, funds, liabilities, or personnel that are consistent with the approved optional plan and necessary or convenient to place it into full effect.
- (2) Adoption of an optional plan changing only the form of county government without adopting one of the structural forms under Chapter 35b, Part 3, Structural Forms of County Government, does not alter or affect the boundaries, organization, powers, duties, or functions of any:
 - (a) school district;
 - (b) justice court;
 - (c) local district under Title 17B, Limited Purpose Local Government Entities - Local Districts;
 - (d) special service district under Title 17D, Chapter 1, Special Service District Act;
 - (e) city or town; or
 - (f) entity created by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act.
- (3) After the adoption of an optional plan, the county remains vested with all powers and duties vested generally in counties by statute.

Amended by Chapter 17, 2012 General Session